

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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|-----------------------------------------|---|-------------------------------|
| IN RE PHARMACEUTICAL INDUSTRY |) | |
| AVERAGE WHOLESALE PRICE |) | MDL NO. 1456 |
| LITIGATION |) | Civil Action No. 01-12257-PBS |
| |) | Subcategory No. 07-12141 |
| THIS DOCUMENT RELATES TO: |) | |
| |) | Judge Patti B. Saris |
| <i>State of Iowa</i> |) | |
| |) | |
| <i>v.</i> |) | |
| <i>Abbott Laboratories Inc., et al.</i> |) | |

OCTOBER 2010 STATUS REPORT FOR THE STATE OF IOWA

The undersigned counsel for the State of Iowa (hereinafter referred to as "plaintiff") hereby submits the attached Status Report for October 2010, in accordance with the Court's June 17, 2004 Procedural Order.

Dated: October 4, 2010

Respectfully submitted,

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By: /s/ Joanne M. Cicala
Joanne M. Cicala

Counsel for the State of Iowa

October 2010 Status Report for the State of Iowa

Voluntary Dismissal of Claims

On July 13, 2010, plaintiff filed a notice of voluntary dismissal of claims against defendant Medimmune. *See* Docket No. 7182, Sub-docket 87.

Discovery

1. Schering's Motion for a Protective Order

On March 5, 2010, defendant Schering filed a motion for protective order and to quash a notice of deposition served by plaintiff on March 1, 2010. *See* Docket No. 6964, Sub-docket No. 70; Docket No. 6965, Sub-docket No. 71.

On March 26, 2010, plaintiff filed its opposition to defendant Schering's motion for protective order. *See* Docket No. 7009, Sub-docket No. 73. This motion remains *sub-judice*.

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 4th day of October, 2010, she caused a true and correct copy of the above October 2010 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: October 4, 2010

/s/ Kathryn B. Allen
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